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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/947,254	10/08/97	VORBACH	2885/18

EDWARD J HANDLER III
KENYON AND KENYON
ONE BROADWAY
NEW YORK NY 10004

LM21/0302

RAY, G EXAMINER

ART UNIT PAPER NUMBER
2781 8

DATE MAILED: 03/02/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/947,254

Applicant(s)
Vorbach et al.

Examiner
Gopal C. Ray

Group Art Unit
2781



☒ Responsive to communication(s) filed on Oct 8, 1997

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), ~~or thirty days, whichever is longer~~, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 19-34 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 19-27, 30, and 34 is/are rejected.

☒ Claim(s) 28, 29, and 31-33 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on Oct 8, 1997 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5 and 7

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. The examiner acknowledges the cancellation of claims 1-18 and addition of claims 19-34 by the Preliminary Amendment filed on March 27, 1998. Claims 19-34 are presented for examination.
2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it is less than 50 words.

4. The drawings filed on 10/8/97 and 3/27/98 are objected to by the PTO draftsman. See attached PTO-948 forms for objections to the drawings. The drawings are acceptable for examination purposes only. Formal drawings will be required when the application is allowed. Direct any inquiries concerning drawing

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review by the PTO draftsman to the Drawing Review Branch at (703) 305-8404.

Furthermore, the drawings are objected to by the examiner because all boxes/blocks in the drawings should have suitable descriptive legends. See 37 CFR § 1.84 (o). Moreover, Figures 1-3 should be labeled as --PRIOR ART--.

5. In the specification, pages 2-3 of the brief description of the drawings, "Fig. 4" should be --Fig.s 4A and 4b--, "Fig. 9" should be --Fig.s 9a and 9b--, "Fig. 10" should be --Fig.s 10a-10g--. Furthermore, the specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

6. As to claim 34, applicant should define the abbreviations DFP, FPGA and DPGA along with the abbreviations in parenthesis. Furthermore, all claims should be revised carefully to eliminate all grammatical errors and antecedent basis problems.

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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8. Claims 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,113,498 issued to Evan et al.

As per claim 19, the reference of Evan et al. teaches "a processing unit, the processing unit having a multi-dimensional programmable cell architecture; and a first plurality of individual lines positioned within the processing unit, the first plurality of individual lines being bundled; wherein the first plurality of individual lines provide a means to communicate between the processing unit and at least one of : i) an additional processing unit, ii) a memory device, and iii) a peripheral device" in Fig. 10 and col. 17, lines 34-60.

As per claim 20, the reference of Evan et al. inherently teaches the "interface unit combining the plurality of individual lines to form the bus system" in Fig. 10, interface units coupling AD and MD buses.

9. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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10. Claims 21-27, 30 and 34 are rejected under 35 U.S.C.

§ 103(a) as being unpatentable over US Patent 5,113,498 issued to Evan et al. in view of common knowledge in the art.

As per claims 21-27, 30 and 34, the claims are rejected for the same reasons as discussed in the rejection of claim 19 with the exception of the added limitations such as "at least one state machine for controlling the least one interface unit" (claim 21), etc. However, the limitations such as "at least one state machine for controlling the least one interface unit", etc. would be obvious to one of ordinary skill in the art at the time of the invention. "Official notice" is taken that the added features are well known and expected in the art. It would be obvious to include the above features such as "at least one state machine for controlling the least one interface unit", etc. in the system of Evan et al., because it is an alternative way known in the art to use "state machine" for providing control signals. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to include the above features in the system of Evan et al. to obtain the claimed invention.

11. Claims 28, 29 and 31-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent 5,844,888 issued to Markkula, Jr. et al. teaches a network for providing sensing and control using cells having distributed intelligence. Applicant is urged to consider the reference. However, the reference should be evaluated by what they suggest to one versed in the art, rather than by their specific disclosure. The prior art submitted by applicant has been considered by the examiner and made of record in the file.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gopal C. Ray whose telephone number is (703) 305-9647. The examiner can normally be reached on Monday - Friday from 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh, can be reached on (703) 305-9648. The fax phone number for this Group is (703) 308-9051/9052.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to **[Ayaz.sheikh@uspto.gov]**.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive

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information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Gopal C. Ray
**GOPAL C. RAY
PRIMARY EXAMINER
GROUP 2380**